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FEB 21 2002

EXAMINER LISA BENNETT ARTHUR

DATE: February 21, 2002

TO: Examiner Lisa Bennett Arthur

COMPANY: United States Patent and Trademark Office

TELEPHONE NO.: (703) 308-3988

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FROM: Luisa Bigornia

RE: USSN: 09/665,363

TOTAL PAGES 10
(including cover sheet): _____

COMMENTS:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tang, et al.
Serial No: 09/665,363
Filed: September 19, 2000
For: NOVEL NUCLEIC ACIDS AND POLYPEPTIDES

CERTIFICATE OF MAILING
UNDER 37 CFR 1.8

I hereby certify that this paper is being transmitted to the United States Postal Service by facsimile and addressed to the Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

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Type or Print Name of Person Mailing: Annya Dushine


Signature of Person Mailing

TRANSMITTAL LETTER

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

Enclosed are the following items for filing in the above-referenced U.S. Patent Application:

1. Applicants' Response to a Restriction Requirement dated 12/19/2001
2. Petition for Extension of Time Under 37 CFR 1.136(a)

The Commissioner is hereby authorized to charge payment of any fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 501169. A duplicate copy of this sheet is enclosed.

Please refund any overpayment to Hyseq, Inc. at the address below.

Respectfully submitted,

Date: February 21, 2002

By: Luisa Bigornia

Luisa Bigornia
Attorney for Applicants
Registration No.: 45,974
HYSEQ, INC.
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Docket No. 789CIP2C

8/A
B. Webb
2/28/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Examiner Arthur:

RESTRICTION REQUIREMENT

In response to the December 19, 2001, Restriction Requirement in the above-identified application, Applicants elect with traverse Group 41, claims 10, 11, 20, and 21 drawn to polypeptides. In response to the sequence election requirement, Applicants elect with traverse SEQ ID. NO: 6. Applicants make this election without prejudice to pursuing non-elected subject matter in later applications.

Pursuant to 37 CFR 1.141, upon the allowance of the product claims, Applicants respectively reserve the right of rejoinder of Group 6, claim 19, drawn to a method of producing the polypeptide.

The response to the Restriction Requirement is due on or before March 19, 2002 with a two-month extension of time. A petition for a two-month extension of time is enclosed herewith. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 501169.

Respectfully submitted,

Date: February 21, 2002

By: Luisa Bigornia
Luisa Bigornia
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